IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE T.CH.SURYA RAO

WRIT PETITION NO : 19911 of 2004

Between:

M/s Ramalingam & Sons, (Bluemoon Hotel),

Raj Bhavan Road, Begumpet, Hyderabad,

rep. by its Managing Partner, Sri G. Vittal.

..... PETITIONER

AND

1. Deputy Commercial Tax Officer,

Basheerbagh Circle, Hyderabad.

2 Commercial Tax Officer,

Basheerbagh Circle, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ or order or direction, particularly one in the nature of Writ of Certiorari after calling for the records and quash the Form No.5 notice dated 16-10-2004, issued by the first respondent under the A.P. Revenue Recovery Act in seeking to recover a sum of Rs. 12,00,957 /- for the respective years set out therein.

For the Petitioner: MR.S KRISHNA MURTHY, Advocate.

For the Respondents: GP FOR COMMERCIAL TAXES

The Court made the following Order: (per Sri B. Sudershan Reddy, J)

Learned Standing Counsel for the Department submits that a certified copy of the order of assessment for the year 2001-02 will be furnished to the petitioner on 06-12-2004 itself. The petitioner or his representative duly instructed shall appear before the 2nd respondent – Commercial Tax Officer at 3.00 PM on 06-12-2004 to receive the certified copy of the assessment order. It shall be open to the petitioner to avail such remedies as may be available in law.

The Writ Petition, subject to the above observations, is dismissed.

(B. Sudershan Reddy, J)

03-12-2004

(T.Ch. Surya Rao, J)

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Note: Furnish copy by tomorrow.

B/O

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To

1. Deputy Commercial Tax Officer,

Basheerbagh Circle, Hyderabad.

2 Commercial Tax Officer,

Basheerbagh Circle, Hyderabad.

3 Two CCs to the Government Pleader for Commercial Taxes,

High Court of Andhra Pradesh, Hyderabad (OUT).

4 Two CD copies.